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VIA ELECTRONIC FILING

Magalie Roman Salas, Secretary
Federal Communications Commission
445 – 12th Street, SW
Washington, D.C. 20554

**Attention: Patrick Forster, Senior Engineer (3-A104)
Policy Division
Wireless Telecommunications Bureau**

**Re: Notification of Status of Facilities
CC Docket No. 94-102
Broadband PCS Station WPOJ757 and WPOJ758
TRS Number: Not Yet Assigned – Network not constructed or providing
service to the public**

Dear Ms. Salas:

On behalf of GW Wireless, Inc., and pursuant to the Commission's Public Notice, Mimeo No. DA 01-2459 (released October 19, 2001), we hereby submit this supplement to its November 9, 2000 status report on its implementation of Wireless E911 Phase II Automatic Location Identification service.

Please direct any questions or correspondence regarding this filing to our office.

Sincerely,


John A. Prendergast
Kathleen A. Kaercher

Attachment

GW WIRELESS, INC.
410 Crown Street
P.O. Box 411
Wall, South Dakota 57790-0411

Magalie Roman Salas, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Attention: Patrick Forster, Senior Engineer (3-A104)
Policy Division
Wireless Telecommunications Bureau

Re: Implementation Plans of Wireless E911 Phase II
Automatic Location Identification
Public Notice Pertaining to CC Docket No. 94-102
TRS Number: Not Yet Assigned – Network not constructed or providing
service to the public

Dear Ms. Salas:

In accordance with the Public Notice, Mimeo No. DA 01-2459 (released October 19, 2001) pursuant to the informal request of Commission staff, we hereby supplement our November 9, 2000 status report to inform the Commission that GW Wireless, Inc., (GW) licensee of Broadband Personal Communications Service Stations WPOJ758 (Rapid City SD BTA 369, C-Block) and WPOJ757 (Mitchell SD BTA 301, E-Block) has not yet constructed its systems and as a result is not presently required to offer Enhanced 911 services.

The five-year construction deadline for both stations is June 30, 2004. Currently the station is not constructed and does not “offer real-time, two way switched voice service that is interconnected with the public switched network and utilize an in-network switching facility which enables the provider to reuse frequencies and accomplish seamless hand-offs of subscriber calls,” and thus, the Commission’s Enhanced 911 rules do not currently apply to GW. 47 C.F.R. § 20.18(a). GW has not yet made a final decision as to its operating format and therefore has not yet been able to determine whether it will use a handset or network solution for Phase II compliance.¹ Out of an abundance of caution, GW requests that its licenses be included in any

¹ GW is still awaiting a Commission decision concerning its June 30, 2000 request for clarification of the Commission’s policies governing the operation of Broadband PCS and

blanket waiver or E911 implementation extension that the Commission might grant small and mid-sized operators.

As a small market carrier, GW does not have the buying power of national carriers, or the clout to influence equipment design and development. GW anticipates that it will have to wait until the requirements of the larger carriers are satisfied before it will be able to obtain Phase II compliant equipment. In addition, GW has not received any request for Phase II or Phase I service from the local Public Safety Answering Points, and does not anticipate receiving any such request in the near future. Thus, the public interest will not be harmed by including GW under the umbrella of a waiver or extension granted to similarly situated small or rural carriers. The Commission recognized, in the case of E911, that there could be instances where technology-related issues or exceptional circumstances may mean that deployment of Phase II is delayed since it requires the cooperative efforts of carriers, equipment manufacturers and suppliers and government officials responsible for public safety activities.² The Commission has acknowledged, in the cases of the largest carriers, that exactly that has happened and has granted requested extensions of time to comply with implementation rules for those carriers,³ and should now take the opportunity to do so for the small and rural carriers. In the event that the Commission decides to extend E911 Phase II requirements for small and rural carriers, GW respectfully requests to be included.

Any questions concerning this filing should be directed to John A. Prendergast at Blooston, Mordkofsky, Dickens, Duffy and Prendergast, at 202/659-0830.

Respectfully submitted,
GW WIRELESS, INC.

By George Strandell
George Strandell, President

November 29, 2001

LMDS facilities pursuant to spectrum lease agreements. See Public Notice, DA 00-1953, released August 24, 2000. GW wishes to use its licensed facilities to bring broadband access and other services to rural areas by using fixed technology manufactured by Airspan. If GW is able to deploy the Airspan technology, the resulting system will provide the PSAP with the precise street address of the subscriber calling, functioning more akin to wireline E911.

² 15 FCC Rcd 1744, at ¶¶ 42-45.

³ *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Request for Waiver by Cingular Wireless LLC*, CC Docket 94-102, Order, FCC 01-296 (rel. October 12, 2001); *by Nextel Communications, Inc.*, FCC 01-295; *by Sprint Spectrum LP d/b/a Sprint PCS*, FCC 01-297; *by Celco Partnership d/b/a Verizon Wireless*, FCC 01-299; *by AT&T Wireless Services, Inc.*, FCC 01-294.